

# EXHIBIT 3



# SOS ELECTIONS DIVISION

ELECTION DAY OPERATIONS, PART 2

EMERGENCY BACKUP PROCEDURES, PROVISIONAL BALLOT IN DETAIL

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## GEORGIA ELECTIONS DIVISION

### VISION

To produce trusted results that reflect the will of eligible Georgia voters.

### MISSION

To ensure and promote secure, accurate, and fair elections that Georgia voters can have confidence in and to be a trustworthy custodian of Georgia's Great Seal.



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## LEARNING OBJECTIVES

- Emergency Backup Procedures
  - Election Day Poll Pad
  - Precinct Scanner
  - Touchscreen
  - Ballot Printer
- Provisional Voting



## EMERGENCY BACKUP PROCEDURES

- If any voting system component malfunctions during the day of a primary, election, or runoff, the poll manager shall immediately notify the election superintendent and shall not allow any voter to use the component until and unless the malfunction is corrected.
- Voting system components include:
  - Poll Pad
  - BMD
  - BMD Printer
  - Ballot Scanner
- The poll manager shall utilize appropriate backup procedures so that voting is not interrupted due to any equipment malfunction
- The election superintendent shall immediately arrange for the repair of the voting system component or shall provide a replacement component as soon as practicable
- A replacement component shall not be used unless it has been appropriately tested prior to its use (SEB Rule 183-1-12-.11(11)(a)&(b))



## EMERGENCY BACKUP PROCEDURES

### ELECTION DAY POLL PAD WILL NOT ENCODE VOTER CARD

- Poll Pad will not process a voter check-in
  - Voter should be checked in using the backup paper elector's list
    - Items needed:
      - Poll Worker cards – used to manually activate ballot styles on the ICX-BMD
      - Ballot Activation Codes – the codes will be different for each ballot style and for each election
      - Paper Elector's List and Supplemental List – will be used to manually check the voter's eligibility to vote in the election
      - Paper Voter Certificates – will be used by the voter to provide information and attest to their eligibility to vote
      - Pens – for the completion of the voter certificate



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## EMERGENCY BACKUP PROCEDURES ELECTION DAY POLL PAD WILL NOT ENCODE VOTER CARD

- Procedures
  - Voter completes a voter certificate
  - Poll officer verifies the identity of the voter (checks their ID) and uses the paper Elector's list to:
    - Verify that the individual is eligible to vote
    - Mark the voter as having voted
  - Poll worker uses the proper activation code on the BMD to access the ballot for the voter. (In this circumstance, the BMD and printer are used to mark and print the ballot, so emergency ballots marked by the voter using an ink pen are not required.)
  - Voter uses the BMD to mark and print their ballot.
  - Voter inserts marked ballot into the precinct scanner



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## EMERGENCY BACKUP PROCEDURES – ADVANCE VOTING POLL PAD WILL NOT CREATE A VOTER CARD

- Voter will check in per normal procedures
  - Voter will complete the Application
  - Poll officer will check the voter's identification and give the voter credit for voting in eNet using their desktop/laptop
- Poll officer will use a BMD, activation codes, and a blank Voter Card to provide the correct ballot style to the voter
- Voter will cast and print their ballot
- After reviewing their ballot, voter will insert their ballot into the polling location ICP scanner
- Once the issue with the Poll Pad has been resolved, poll officers may continue issuing Voter Cards using the Poll Pad





## EMERGENCY BACKUP PROCEDURES PRINTER MALFUNCTION OR BMD WILL NOT MARK BALLOT

- BMD malfunction prohibits the marking of ballots. Reasons for a malfunction may include power outages, malfunctions causing a sufficient number of BMDs to be unavailable for use, or waiting times longer than 30 minutes (SEB Rule 183-1-12-.11)
  - Items needed
    - Emergency paper ballots – SEB Rule 183-1-12-.11(2)(c) – The election superintendent is required to provide enough emergency paper ballots for each precinct equal to at least 10% of the number of active registered voters assigned to a polling place
      - If there are multiple precincts in a polling place, provide ballots for each ballot combo (precinct) within the polling place
    - Pens – use Dominion Voting approved pens
      - Sharpie Fine Point Black
      - Paper Mate Flair M Medium Point Black



## EMERGENCY BACKUP PROCEDURES PRINTER MALFUNCTION OR BMD WILL NOT MARK BALLOT

### ■ Procedures

- Voter checks in at the Poll Pad by providing proper identification and signing the voter certificate. (If Poll Pads are not working either, follow the emergency procedures on Slides 4 and 5 of this presentation to process voter.)
- On the Poll Pad, poll officer selects “Emergency Ballot” instead of “Touchscreen” and hits “Submit” in order to finalize voter check in. No access card is created
- Poll officer provides an emergency ballot to the voter to be marked with a pen
- Voter marks their ballot in an area that provides voter privacy
- **Voter scans their hand marked ballot into the precinct scanner**
- The poll manager shall ensure that all used and unused emergency ballots are accounted for. All unused emergency ballots shall be placed into a secure envelope and sealed such that the envelope cannot be opened without breaking the seal.
- **\*\*Emergency ballots are not treated as provisional ballots; these ballot shall be scanned in the scanner in the same manner that ballots printed on the BMD printer are scanned. (If the scanner is not working, follow the instructions on slides 9 and 10 of this presentation to process voter.)**



## EMERGENCY BACKUP PROCEDURES BALLOT SCANNER – WILL NOT SCAN BALLOTS

- In the event that a ballot scanner malfunctions, the voter shall place their ballot in the emergency bin connected to the ballot box.
- The emergency bin is located on the top of the ballot box near the transportation handle
- The emergency bin must first be unlocked by the Poll Manager
- Voting should continue as normal, with the only difference being that ballots are placed into the emergency bin and not run through the scanner
- Poll officers may scan ballots placed into the emergency bin when the malfunction is resolved, or the ballot scanner is replaced at a time when doing so will not interfere with voting
- A voter who has placed their ballot into the emergency bin is considered to have voted their ballot



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## EMERGENCY BACKUP PROCEDURES BALLOT SCANNER – WILL NOT SCAN BALLOTS

### ■ Procedures

- Voter will be checked in on the poll pad and a voter card will be created for the voter
- The voter will vote on the ICX-BMD
- The voter will place their printed ballot in the emergency bin connected to the ballot box and will be considered as having voted
- Poll officers will scan ballots pursuant to the emergency procedures once the problem has been resolved
- Emergency ballots shall not be treated as provisional ballots, but instead shall be placed into the scanner in the same manner that printed ballots in the polling place are scanned
- If the situation also effects the BMD and emergency ballots are required see instructions on slides 9 and 10 of this presentation to process voter.



## EMERGENCY BACKUP PROCEDURES DOCUMENTS AVAILABLE

- There are many documents on Firefly for the various emergency back up procedures that may be required. County officials should familiarize themselves with these procedures and train poll workers on how to handle emergency situations. The documents available include:
  - Backup Procedures – Ballot Scanner
  - Backup Procedures – ICX-BMD
  - Backup Procedures – Poll Pad
  - Backup Procedures – Using Emergency Paper Ballots
  - STV – Troubleshooting Guide – this guide covers a wide array of situations that may occur with in-person voting equipment. Examples include paper jams, BMD not able to read the Voter Access Card, touchscreen printer not working, etc.
- The Backup procedures and Troubleshooting Guide can be found on Firefly at:
  - Firefly>Training>Dominion Voting System Guides and Manual>Backup Procedures
- \*\*Best practice is to provide copies of these documents to each polling location.



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## PROVISIONAL BALLOT REVIEW

- A provisional ballot is a paper ballot used by a voter when their eligibility to vote cannot be determined at the polling place. Voters who declare they are registered and eligible to vote in the county in which they desire to vote, but whose names do not appear on the registration list, must be permitted to cast a provisional ballot.
- If a voter has a good faith belief that they are properly registered in your county, they have the right to vote a provisional ballot.
- The provisional ballot will count only if the voter eligibility can be determined by your County Registrar's office within three business days after Election Day.



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## PROVISIONAL BALLOT REVIEW

- There are many different scenarios under which a person is eligible to cast a provisional ballot. This presentation is a high-level description of the various scenarios and a path forward for issuing.
- Provisional ballots are authorized under O.C.G.A. 21-2-418 and O.C.G.A. 21-2-419
- Procedures for issuing and validating a provisional ballot are found in SEB Rule 183-1-12-18
- Poll workers should be well trained and provided with good documentation for issuing a provisional ballot
- The proper completion of the paperwork by the voter is extremely important. In addition to the person's personal information, registrars will also need as much information as possible on when and where the individual believes they registered to vote.
- Any proof of identification required by a provisional voter may be provided by the voter in person, by email, by fax, or in the case of a disabled voter, by third party delivery within three business days of the election for it to be considered.



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## PROVISIONAL BALLOT REVIEW

- Supplies needed at each polling location, including the Advance Voting locations include:
  - Blank ballots for each ballot style in the precinct
  - Instructions for issuing a provisional ballot
  - Notices to voters, including:
    - Types of required identification
    - Casting a provisional ballot out of precinct prior to 5:00 PM and after 5:00 PM
    - Provisional Ballot Affidavit (Out of Precinct)
    - Paper voter certificates
    - Provisional Numbered List of Voters





## PROVISIONAL BALLOT REVIEW

- The registrars shall establish a free access system, such as a toll-free telephone number or internet website, by which any elector who casts a provisional ballot in a primary or election, or runoff of either, in which federal candidates are on the ballot may ascertain whether such ballot was counted and, if such ballot was not counted, the reason why such ballot was not counted.
- Access to such information about an individual provisional ballot shall be restricted to the elector who cast such ballot.
- At the time an elector casts a provisional ballot, the poll officers shall give the elector written information that informs the elector of the existence of the free access system required by subsection (e) of this Code section by which the elector will be able to ascertain if his or her ballot was counted and, if such ballot was not counted, the reason why such ballot was not counted.
- Failure to establish such free access system shall subject the registrars and the county by which the registrars are employed to sanctions by the State Election Board.



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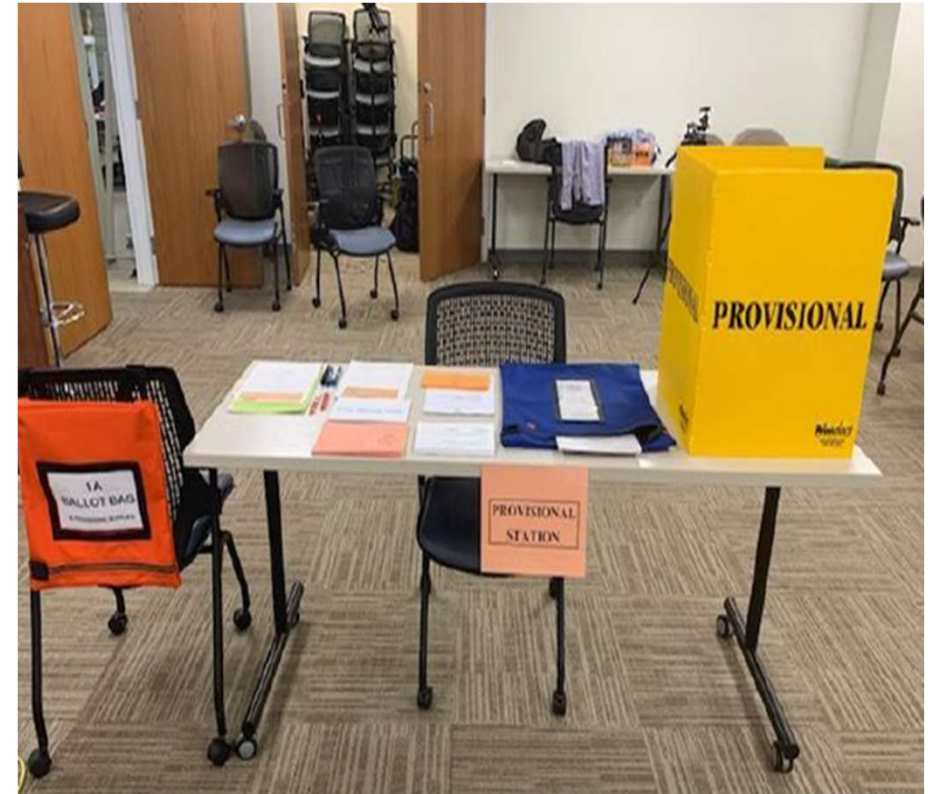
## PROVISIONAL BALLOT REVIEW – OP AFTER 5:00 PM SEB RULE 183-1-12-.18

- If the registrars cannot immediately determine that the person timely and validly registered to vote in the primary or election; but, from the information presented by the person, the person, if registered, would be assigned to a different precinct from the precinct in the county at which the person is present, the registrars shall direct the poll officers to inform the person of the appropriate precinct.
- The poll officials shall also inform such person that any votes cast by a provisional ballot in the wrong precinct will only be counted if it is cast after 5:00 P.M. and before the regular time for the closing of the polls on the day of the primary, election, or runoff and if the person executes a sworn statement, witnessed by the poll official, stating that he or she is unable to vote at his or her correct polling place prior to the closing of the polls and giving the reason therefor.



## PROVISIONAL BALLOTS - SUPPLIES

- An adequate amount of paper ballots for all precincts voting at a particular location. This includes Advance Voting and Election Day
- Information sheets for voters (Provisional Letters/Memos)
- Privacy enclosure for casting a ballot
- Provisional Ballot envelopes and paperwork
- Black ink pens



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## PROVISIONAL FAQ

- If voters are still in line at 7:00 PM, will they be required to vote a provisional ballot?
  - Not necessarily. Only voters casting a ballot under certain circumstances after 7:00 PM are required to vote a provisional ballot:
    - During an emergency when voting has been interrupted and the ballot contains a federal candidate, a court order has been issued extending voting hours.
- Will the provisional ballot status for a voter appear on MVP?
  - No. This is one reason why the establishment of a Free Access System is so important
- Are counties permitted to make their own provisional voter certificates?
  - Yes, but you should make sure that your own version of a provisional voter certificate includes everything that is included on the State's version. It is also suggested that you have your county attorney review the document to ensure that you are meeting all legal requirements



## PROVISIONAL FAQ

- The Provisional Ballot Voter information is found on the back side of the regular voter certificate. This document can be found on Firefly at:
  - Firefly>Download>voter certificate 2019

**VOTER'S CERTIFICATE**

\_\_\_\_\_, COUNTY OR MUNICIPALITY, STATE OF GEORGIA

I hereby certify that I am qualified to vote in the election held on \_\_\_\_\_, 20\_\_\_\_, and that I have not and will not vote elsewhere in this election in my own name or in any other name, and that I am a citizen of the United States and am not currently serving a sentence for a felony conviction.

ONLY For Primary Elections (Check One): I request a ☐ Democratic Ballot ☐ Republican Ballot ☐ Nonpartisan Ballot

DOES NOT INCLUDE endorsement of House/State candidates

I understand that making a false statement on this Certificate is a felony under O.C.G.A. § 21-2-562.

Print Elector's Name \_\_\_\_\_ Current Residence Address of Elector \_\_\_\_\_  
(If vote safe voter, current Mailing Address): R.F.D., Street or Road, PO Box \_\_\_\_\_

Elector's Signature \_\_\_\_\_ City, State, Zip \_\_\_\_\_

Elector's date of birth: \_\_\_\_\_

(POLL OFFICER USE ONLY)

Name or initials of poll officer receiving voter's certificate: \_\_\_\_\_ Ballot Stub Number (Paper Ballots Only): \_\_\_\_\_  
Voting Machine Admission Number (Municipal Elections Only): \_\_\_\_\_

**IN CASE OF PHYSICAL DISABILITY OR ILLITERACY, FILL OUT THE FOLLOWING:**

Reason for assistance: ☐ Elector is unable to read the English language ☐ Elector requires assistance due to physical disability

**NOTE: See reverse side of form for notation of person assisting elector.**

**TYPE OF IDENTIFICATION PROVIDED:**

☐ Georgia driver's license  
☐ Valid ID card issued by any state with photo  
☐ Valid U.S. Passport  
☐ Valid Government employee photo ID  
☐ Valid U.S. military ID card with photo  
☐ Valid tribal ID card with photo

First time registrant by mail only (IDR): May provide one of the six (6) ID items listed to the left, or one of the following:  
☐ Current utility bill  
☐ Current bank statement  
☐ Government check or paycheck  
☐ Valid Government document with name and address

Signature of poll officer completing this section: \_\_\_\_\_

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**SPECIAL NOTE REGARDING ASSISTING VOTERS:**

ANY ELECTOR WHO IS ENTITLED TO RECEIVE ASSISTANCE IN VOTING SHALL BE PERMITTED BY THE POLL MANAGER TO SELECT ANY PERSON OF THE ELECTOR'S CHOICE EXCEPT SUCH ELECTOR'S EMPLOYER OR AGENT OF THAT EMPLOYER OR OFFICER OR AGENT OF SUCH ELECTOR'S UNION. NO PERSON WHOSE NAME APPEARS ON THE BALLOT AS A CANDIDATE NOR THE MOTHER, FATHER, GRANDPARENT, AUNT, UNCLE, SISTER, BROTHER, SPOUSE, SON, DAUGHTER, NIECE, NEPHEW, GRANDCHILD, SON-IN-LAW, DAUGHTER-IN-LAW, MOTHER-IN-LAW, FATHER-IN-LAW, BROTHER-IN-LAW, OR SISTER-IN-LAW OF SUCH CANDIDATE SHALL OFFER ASSISTANCE TO ANY ELECTOR WHO IS NOT RELATED TO SUCH CANDIDATE. O.C.G.A. § 21-2-409(B)

Name of person assisting such elector is: \_\_\_\_\_

**PROVISIONAL BALLOT VOTERS ONLY**

I believe I last registered to vote in Georgia: \_\_\_\_\_ Approximate date of registration: \_\_\_\_\_

☐ At the Department of Drivers Services, DL#: \_\_\_\_\_ Issued Date: \_\_\_\_\_

☐ By mail

☐ In person at (please specify location) \_\_\_\_\_

☐ Other: \_\_\_\_\_

**POLL OFFICER USE ONLY**

**POLL OFFICER MUST MARK TYPE OF PROVISIONAL/CHALLENGED VOTER. Check all that apply:**

☐ EH Voter who is casting a ballot during extended poll hours as a result of a court order (applies to federal elections only)

☐ IR Voter who registered for first time by mail but did not provide required identification

☐ OP Out of Precinct

☐ PI Registered voter who does not have photo ID to present at time of voting

☐ PR Person believing that he or she has timely registered to vote but whose name does not appear on electors list

☐ X Voter who registered for the first time in Georgia but citizenship not verified

☐ Other \_\_\_\_\_



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## PROVISIONAL FAQ

- If a person votes provisional ballot out of precinct, but the poll worker fails to execute the Provisional Ballot Affidavit (Out of Precinct), may counties treat this as any other provisional ballot and give the voter until the third business day following the day of Election to cure their ballot
  - Yes. Counties should reach out to this voter in the same manner as they would for a voter who does not present identification at the time of voting. Call, email, send a letter – make every effort to notify the voter of their ballot deficiency.
- May counties use a BMD rather than paper ballots for issuing provisional ballots?
  - Yes. It is each county's choice as to whether they will use paper ballots or use a BMD for casting provisional ballots.
  - Some counties using a BMD for provisional voting have a separate unit at the Provisional Balloting Station and some use any available BMD on the floor for this purpose
  - Either way, it is critical that the voter not accidentally approach the ballot scanner and insert their ballot. Once a ballot has been scanned, it has been counted – period.
  - A provisional ballot must always be sealed in envelopes and voter eligibility verified by the voter registrar prior to counting the ballot.



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## PROVISIONAL FAQ

- If a voter is out of precinct and it is before 5:00 PM, should the poll worker have the voter complete a Provisional Ballot Affidavit (Out of Precinct)?
  - Yes. It is a good practice to have the affidavit completed by any voter casting a ballot out of precinct. It provides consistency that will be helpful to poll workers. Also, if it is before 5:00 PM, the document will demonstrate that and includes the voter's signature indicating voter acknowledgement that their ballot will not be counted.
- The new Provisional Numbered List of Voters has a column to note the time of day that a person cast their ballot. How important is it that this information be included?
  - It is critical that this information be recorded, especially for voters casting a provisional ballot out of precinct.
- Can counties issue provisional ballots to polling places for precinct other than those voting in that location?
  - No. On Election Day, the only blank provisional ballot that may be issued at a polling location must be for the precinct where the voter is present. The same applies when counties opt to use a BMD for casting a provisional ballot. In that instance, ballots may only be created for the precinct(s) voting at the polling location where the provisional ballot is being cast.



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## PROVISIONAL FAQ

- If a PR voter is not able to provide proper identification, does their status change to PI?
  - It is possible for a voter to be both a PR and a PI provisional ballot. Either way, unless the voter is deemed eligible to vote and produces proper identification within three business days of casting the provisional ballot, the ballot may not be counted.





# AVAILABLE RESOURCES

GEORGIA SECRETARY OF STATE | ELECTIONS DIVISION

- August 11, 2022 Provisional Ballot Training
  - Firefly>Webinars>2022 Webinars>August 11, 2022 – Provisional Ballots
- Poll Worker Manual
  - Firefly>Training>04.Poll Worker Training & Election Forms>>POLL WORKER MANUAL – May 2021

8/21/2022

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# CALENDAR OF EVENTS & REMINDERS

|                           |   |
|---------------------------|---|
| <b>September 6, 2022</b>  | Last day to file the notice of intention to be a write-in candidate and have notice published in accordance with O.C.G.A. § 21-2-133(a)   |
| <b>September 11, 2022</b> | Last day to file affidavit stating the notice of intention to be a Write-In Candidate has been published in accordance with O.C.G.A. § 21-2-133(b)  |
| <b>September 20, 2022</b> | Earliest day for registrar to mail an UOCAVA absentee ballot and Ranked Choice ballot and transmit an electronic ballot delivery of the same for the November General Election. O.C.G.A. § 21-2-385 |
| <b>October 10, 2022</b>   | Earliest day for registrar to mail a regular absentee ballot (non-UOCAVA) for the November General Election. O.C.G.A. § 21-2-384(a)(2)  |
| <b>October 11, 2022</b>   | Last day for a person to register and be eligible to vote in the November General Election and Runoff Election. O.C.G.A. § 21-2-224(a) **October 10 <sup>th</sup> is a State Holiday**              |
| <b>October 17, 2022</b>   | Advanced (Absentee In-Person) Voting begins for the November General Election. O.C.G.A. § 21-2-385(d)(1)  |
| <b>October 28, 2022</b>   | Last day for registrar to accept a mail ballot application and issue/mail a regular absentee ballot (non-UOCAVA) for the November General Election. O.C.G.A. § 21-2-384(a)(2)                       |

## Additional Resources

- **SOS Website:** <https://sos.ga.gov/elections-division-georgia-secretary-states-office>
- **Check Registration and Register to Vote:** <https://www.mvp.sos.ga.gov/MVP/mvp.do>
- **The Federal Voting Assistance Program voter assistance and education program/UOCAVA** [FVAP.gov](https://www.fvap.gov)
- **Georgia General Assembly, Session Information, and Legislative Updates** <https://www.legis.ga.gov/>
- **Firefly:** <https://firefly.sos.ga.gov/Pages/default.aspx>

To locate this webinar presentation, recording, and any other media materials discussed during this training can be found on Firefly: Go to Webinars>2022 Webinars and look for the date and title of the presentation to review.



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## QUESTIONS



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# Thank you!

Georgia Secretary of State

Elections Division Training Administration Team

